

Cyrus Safa
Nevada Bar No: 13241
Law Offices of Lawrence D. Rohlfing
12631 East Imperial Highway, Suite C-115
Santa Fe Springs, CA 90670
Tel.: (562) 868-5886
Fax: (562) 868-5491
E-mail rohlfling.office@rohlflinglaw.com

Attorneys for Plaintiff
Raymond A. Chatmon

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RAYMOND A. CHATMON,)	Case No.: 2:19-cv-01201-EJY
)	
Plaintiff,)	STIPULATION AND {PROPOSED}
)	ORDER FOR THE AWARD AND
vs.)	PAYMENT OF ATTORNEY FEES
)	AND EXPENSES PURSUANT TO
ANDREW SAUL,)	THE EQUAL ACCESS TO JUSTICE
Commissioner of Social Security,)	ACT, 28 U.S.C. § 2412(d) AND
)	COSTS PURSUANT TO 28 U.S.C. §
Defendant.)	1920
)	
)	

TO THE HONORABLE ELAYNA J. YOUCHAH, MAGISTRATE JUDGE
OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Raymond A. Chatmon be awarded attorney fees and expenses in the amount of two thousand two hundred eighty-one dollars and three cents dollars (\$2,281.03) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

1 After the Court issues an order for EAJA fees to Raymond A. Chatmon, the
2 government will consider the matter of Raymond A. Chatmon's assignment of
3 EAJA fees to Cyrus Safa. The retainer agreement containing the assignment is
4 attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010),
5 the ability to honor the assignment will depend on whether the fees are subject to
6 any offset allowed under the United States Department of the Treasury's Offset
7 Program. After the order for EAJA fees is entered, the government will determine
8 whether they are subject to any offset.

9 Fees shall be made payable to Raymond A. Chatmon, but if the Department
10 of the Treasury determines that Raymond A. Chatmon does not owe a federal debt,
11 then the government shall cause the payment of fees, expenses and costs to be
12 made directly to Law Offices of Lawrence D. Rohlfing, pursuant to the assignment
13 executed by Raymond A. Chatmon.¹ Any payments made shall be delivered to
14 Cyrus Safa.

15 This stipulation constitutes a compromise settlement of Raymond A.
16 Chatmon's request for EAJA attorney fees, and does not constitute an admission of
17 liability on the part of Defendant under the EAJA or otherwise. Payment of the
18 agreed amount shall constitute a complete release from, and bar to, any and all
19 claims that Raymond A. Chatmon and/or Cyrus Safa including Law Offices of
20 Lawrence D. Rohlfing may have relating to EAJA attorney fees in connection with
21 this action.

22
23
24
25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

1 This award is without prejudice to the rights of Cyrus Safa and/or the Law
2 Offices of Lawrence D. Rohlfing to seek Social Security Act attorney fees under
3 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

4 DATE: March 19, 2020

Respectfully submitted,

5 LAW OFFICES OF LAWRENCE D. ROHLFING

6 /s/ *Cyrus Safa*

7 BY: _____

Cyrus Safa

8 Attorney for plaintiff Raymond A. Chatmon

9 DATED: March 19, 2020

10 NICHOLAS A. TRUTANICH

United States Attorney

11
12
13 /s/ *Allison J. Cheung*

14 ALLISON J. CHEUNG

Special Assistant United States Attorney

15 Attorneys for Defendant ANDREW SAUL,

Commissioner of Social Security

16 (Per e-mail authorization)

17 IT IS SO ORDERED

18
19 DATE: March 20, 2020

20
21 
22 THE HONORABLE ELAYNA J. YOUCHAH
23 UNITED STATES MAGISTRATE JUDGE
24
25
26